

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL FORM (37 C.F.R. § 1.114)

| | | | |
|-----------------------|--------------------------------------|--------------------------|------------------|
| DOCKET NO. 12715/3 | APPLICATION SERIAL NO. 10/801,343 | EXAMINER Tho V. DUONG | ART UNIT 3744 |
|-----------------------|--------------------------------------|--------------------------|------------------|

INVENTOR: Michael BIANCO

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on
Date: January 15, 2008
Signature: Clifford A. Ulrich

This is a **Request for Continued Examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 10/801,343, filed on March 15, 2004 entitled **HEAT EXCHANGER AND AIRFLOW THERETHROUGH**.

The following constitute the submission required by 37 C.F.R. § 1.114(a) and is attached:

Amendment
 Information Disclosure Statement and Form PTO-1449
 Drawing Changes
 Other Submission: _____

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

| | CLAIMS REMAINING AFTER AMENDMENT | MINUS | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT NUMBER EXTRA* | RATE (\$) PER CLAIM | FEE (\$) |
|--------------------------------|--|-------|---|---|---------------------------|----------|
| BASIC FEE | | | | | | 810.00 |
| TOTAL CLAIMS | 22 | - | 21 | 1 | 50.00 | 50.00 |
| INDEPENDENT CLAIMS | 2 | - | 3 | 0 | 210.00 | 0.00 |
| MULTIPLE DEPENDENT CLAIM | | | | | 370.00 | |
| | | | | *Number extra must be zero or larger | TOTAL | 860.00 |
| | If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here. | | | | SMALL ENTITY TOTAL | 430.00 |

2. Please charge the required RCE and submission filing fee of **\$430.00** to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

3. Applicant respectfully requests a **five-month** extension of time in which to respond to the Notice of Appeal filed on June 12, 2007 and received by the U.S. Patent and Trademark Office on June 15, 2007 for which a two-month response period, expiring on August 15, 2007, was set. The five-month extended period for response expires on January 15, 2008. Please charge the 37 C.F.R. § 1.136(a) **five-month extension fee of \$1,115.00**, and any additional fees that may be required, to **Deposit Account No. 11-0600**.
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

Respectfully submitted,

Dated: January 15, 2008

By: /Clifford A. Ulrich/
Clifford A. Ulrich (Reg. No. 42,194)

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200 (telephone)
(212) 425-5288 (facsimile)
CUSTOMER NO. 26646